

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

Archer Avelin

(f.k.a. Nathan Bragie)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Kyle Owen and

Portsmouth Police Department

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial:



Yes



No

(check one)

RECEIVED

SEP 13 2021

U.S. DISTRICT COURT
DISTRICT OF R.I.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Archer Arclin (f.k.a Nathan B. Grice)</u>
Street Address	<u>1278 G.A.R. Hwy</u>
City and County	<u>Swansea, Mass.</u>
State and Zip Code	<u>Mass. [02777]</u>
Telephone Number	<u>401-218-3773</u>
E-mail Address	<u>archer.avelin@icloud.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Kyle Oman (RE A Towing)</u>
Job or Title (if known)	<u>Wrecker Driver (Auto body?)</u>
Street Address	<u>207 Stafford Road</u>
City and County	<u>Tiverton</u>
State and Zip Code	<u>Rhode Island 02878</u>
Telephone Number	<u>401-816-0770</u>
E-mail Address (if known)	<u>(unknown)</u>

Defendant No. 2

Name	<u>Portsmouth Police Department</u>
Job or Title (if known)	
Street Address	<u>2270 E Main Road</u>
City and County	<u>Portsmouth, RI 02871</u>

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 3

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

2/17/20

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Fourth Amendment Violation

Title 18 USC 31, A6 & A10

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Archer Arvelin (fka Nathan B. Groge), is a citizen of an American State Named
the State of (name) _____.

b. Pledging Allegiance to the Republic State of Rhode Island
If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

it is assumed that The defendant, (name) Kyle Oman, is a citizen of
the State of (name) Rhode Island. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Portsmouth Police Department ^{is} (DBA)
incorporated under the laws of the State of (name)
Rhode Island, and has its principal place of
business in the State of (name) Rhode Island. Or is
incorporated under the laws of (foreign nation)
N/A, and has its principal place of
business in (name) Rhode Island.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

defendant 1.	\$ 33,180
defendant 2.	\$ 72,000
	<u>\$ 105,180</u>

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See attached Statement of Claim

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See Attached Statement of Relief

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/27, 2021.

Signature of Plaintiff

Printed Name of Plaintiff



Archa Avelin

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

CONTINUATION PAGES

The Defendant(s) - Continuation

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 5

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 6

Name

Job or Title

(if known)

Street Address

City and County

Defendant No. 7

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

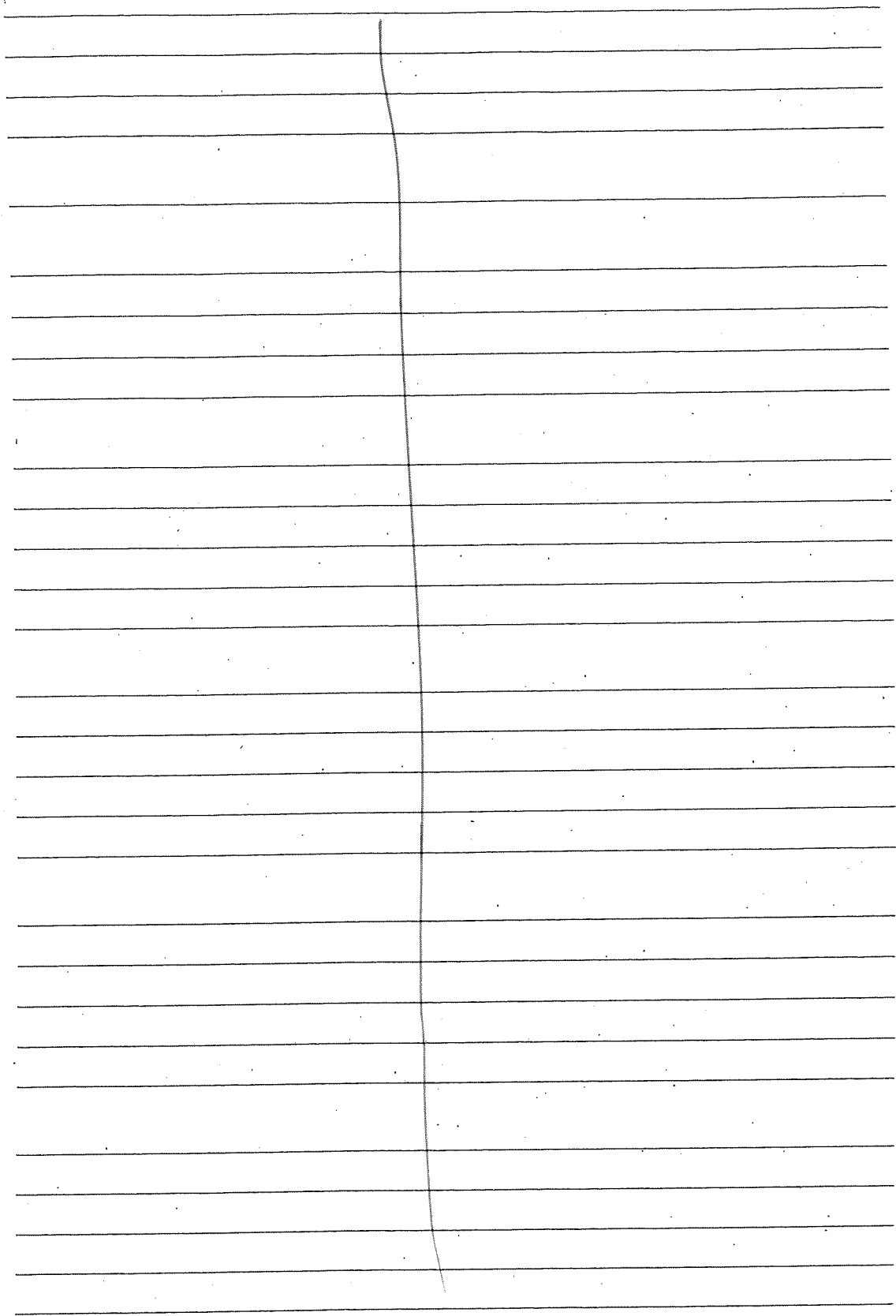
E-mail Address

(if known)

[illegible]

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. A single vertical line runs down the center of the page, creating two equal-width columns. The lines are evenly spaced and extend across the entire width and height of the page. There is no handwriting or other markings on the paper.



Statement of Claim

On the evening of February 17th, 2021 I was traveling home by automobile (a White Volkswagen Rabbit) from Fall River to Middletown. I was traveling at the speed limit and not using the roadway in any hazardous or offensive way. I was passing by the Portsmouth Police department on East Main Road and noticed a black squad car pull out behind me.

I continued on my course heading south on East Main Road, and pulled into the Cumberland Farms gas station to go inside and get a snack and something to drink.

While in the store, I noticed the police car had parked across the street, on the same side of East Main Road at the family farm stand there, and was waiting for me to come back out and continue on my way.

The police officer was stalking me and profiling me because I have told their police department officers on a few occasions of my status. I am an American State National, I am not a US Citizen, and not a 14th Amendment slave as such.

When I left the parking lot, I pulled out and turned right out of the parking lot onto the East Main Road. I didn't use a turn signal, as no one was behind me in the PARKING LOT, and no one was at jeopardy for me doing so. But the police officer in the black squad car used that fact as an opportunity to pull me over and stop me.

I told her that I was traveling and not driving. I told her that driving was a commercial act and involved transporting passengers, goods or service for a fee. I was alone in my car and had nothing in it that I was transporting for a fee.

She used threats of violence and intimidation to get me to show a driver's license. When she had that, she stole my car. Before steeling it though, with the help of Kyle Oman's wrecker service, she proceeded to search the car without a warrant or any probable cause to do so.

I didn't authorize or consent to the theft of the automobile and did not sign any authorization for Mr. Oman to take the car and hold it at his location. In fact, I noticed him of our trust's fee schedule for holding automobiles without consent. That fee is set at \$60.00 a day, and at the current standing he owes us over \$30,000.00.

I have submitted as exhibits the notices that I sent to him and the certified mail receipts showing his acceptance. Since he never made any counteroffer to my written offers, he accepted them tacitly.

Archer Avelin

Statement of Relief

As a result of this police interference and theft of our automobile, I have sustained real financial damages. I have been unable to do business in a regular manner because I have been without a car for over a year's time. As such, I have had to resort to biking. Biking is good exercise, but not nearly as fast and effective as traveling by car.

The Portsmouth Police Department, has also caused me harm by over stepping their jurisdiction. I am not a Citizen Slave, and should not be treated like an enemy and beligerent. I am an American State National and as such I am entitled to limited diplomatic immunity.

It would be much easier for me to earn a living if it were not for police agencies that suppress freedom of people like me.

For these reasons, I have asked for the amounts of Monetary Relief that I requested.

Archer Avelin